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F.#2010R0\_\_\_\_\_

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

10-927MJP

- - - - -X

UNITED STATES OF AMERICA

- against -

ASIA THOMAS,  
ROBERT OGLETREE,  
also known as "Buster,"

Defendants.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

STEPHEN BYRNE, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

Upon information and belief, on or about between July 3, 2010 and August 4, 2010, within the Eastern District of New York, the defendants ASIA THOMAS and ROBERT OGLETREE, also known as "Buster," together with others, did knowingly and intentionally intimidate, threaten, and corruptly persuade, another person, with intent to hinder, delay, and prevent communication to a law enforcement officer or judge of the United States, information relating to the commission of a Federal offense or a violation of supervised release, in violation of Title 18, United States Code, Section 1512(b)(3).

(Title 18, United States Code, Sections 1512(b)(3) and 2).

TO BE FILED UNDER SEAL

COMPLAINT AND AFFIDAVIT  
IN SUPPORT OF ARREST  
WARRANT

(18 U.S.C. §§ 1512(b)(3)  
and 2)

The source of your deponent's information and the grounds for his belief are as follows:<sup>1/</sup>

1. On July 3, 2009, the defendant ROBERT OGLETREE threatened Jane Doe #1, an individual who is known to the United States Attorney's Office, with a gun in Nassau County. Specifically, OGLETREE walked up to Jane Doe #1, knocked a drink out of her hand and started shouting at her to "go get your peoples, I will air this shit out." The defendant then pulled out a black hand gun and pointed it at Jane Doe #1. Jane Doe #1 provided information about that threat with the gun to law enforcement officers, including the United States Department of Probation. On July 4, 2010, the defendant was arrested and charged with criminal possession of a weapon in violation of New York Penal Law Section 265.02.

2. At the time of the above described incident, OGLETREE was on supervised release with the United States Department of Probation, Eastern District of New York, following his conviction for conspiracy to distribute cocaine base, in violation of Title 21, United States Code, Section 841(a); and conspiracy to commit robbery, in violation of Title 18, United States Code, Section 1951(a). See United States v. Robert Ogletree, Cr. No. 04-416. On July 7, 2010, OGLETREE was

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<sup>1/</sup>Because the purpose of this Complaint is only to state probable cause to arrest the defendants, I have not described all the relevant facts and circumstances of which I am aware.

charged with violating the conditions of his supervised release for committing new criminal conduct.

3. I have reviewed defendant OGLETREE's telephone calls from the Nassau County Correctional Facility between July 3, 2010 and August 4, 2010. During that time period OGLETREE contacted ASIA THOMAS numerous times to discuss persuading Jane Doe #1 not to appear in court and to withdraw her statement to law enforcement. Specifically, OGLETREE and THOMAS discuss paying Jane Doe #1 \$800 in return for not appearing in court to testify, and signing a notarized statement that claims Jane Doe #1 wishes to withdraw the charges against OGLETREE.<sup>2/</sup>

4. Specifically, during a telephone conversation on July 17, 2010 at approximately 10:15 a.m. THOMAS reads a draft of the letter she prepared to OGLETREE. OGLETREE informs THOMAS that he approves of the draft. Later that same day, OGLETREE calls THOMAS and asks "you did that?" THOMAS responds "yes." OGLETREE says "alright good." THOMAS then states "she'll sign her life away . . . for some cash."

5. The United States Department of Probation interviewed Jane Doe #1. Jane Doe #1 informed probation that defendant THOMAS approached her numerous times to persuade her not to come to court. Jane Doe #1 further stated that THOMAS

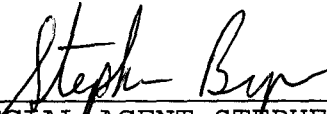
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<sup>2/</sup> During some of the calls THOMAS would conference in a third party who participated in the conversations.

offered her money to sign a notarized statement withdrawing the charges against OGLETREE.

WHEREFORE, your deponent respectfully requests that arrest warrants be issued for the defendants ROBERT OGLETREE, also known as "Buster," and ASIA THOMAS, so that they may be dealt with according to law.

Your deponent further requests that this affidavit and the arrest warrants be held under seal until further order of the Court.

  
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SPECIAL AGENT STEPHEN BYRNE  
Federal Bureau of Investigation

Sworn to before me this  
\_\_\_\_10th day of August, 2010

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UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK